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By: **Delegate Hubbard**

Introduced and read first time: February 4, 2004

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Environment - Air Pollution - Mercury**

3 FOR the purpose of encouraging the United States Environmental Protection Agency  
4 to comply with the Clean Air Act with respect to mercury and to require  
5 coal-fired power plants to utilize Maximum Available Control Technology; and  
6 generally relating to mercury air pollution.

7 **Preamble**

8 WHEREAS, Mercury is a poison that poses a significant risk to unborn and  
9 newborn children, wildlife, and the environment; and

10 WHEREAS, Mercury levels have increased in the atmosphere, lakes, streams,  
11 and oceans threefold to fivefold over the past century due to human activities; and

12 WHEREAS, The United States Food and Drug Administration has warned that  
13 women and children need to severely limit consumption of canned tuna contaminated  
14 by mercury; and

15 WHEREAS, In the United States, fossil fuel burning, in particular coal-fired  
16 power plants, contributes to approximately one-third of all human-generated  
17 mercury emissions; and

18 WHEREAS, The United States Environmental Protection Agency has decided  
19 not to regulate the levels of mercury from power plants as a hazardous air pollutant,  
20 which would require up to a 90% emissions reduction; and

21 WHEREAS, The United States Environmental Protection Agency continues to  
22 pursue an illegal interpretation of the Clean Air Act in order to allow power  
23 companies to continue to emit high levels of mercury, polluting the air and water and  
24 harming the children of this State for 15 or more years; now, therefore,

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
26 MARYLAND, That:

27 The State of Maryland encourages the United States Environmental Protection  
28 Agency to:

1           (a)       Comply with the Clean Air Act, which requires mercury to be  
2 controlled as a hazardous air pollutant; and

3           (b)       Require coal-fired power plants to utilize Maximum Available  
4 Control Technology, which would eliminate as much as 90% of mercury emissions in  
5 as few as 3 years.

6       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2004.